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CRAWFORD MAUNU PLLC 1270 NORTHLAND DRIVE, SUITE 390 ST. PAUL, MN 55120			SHANNON, MICHAEL R	
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			2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,263

Applicant(s)

BARRACLOUGH ET AL.

Examiner

Michael R Shannon

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10 January 2005 have been fully considered but they are not persuasive.

The applicant has traversed the rejections of independent claims 1 and 65 and has amended the claim language in order to more specifically point out that the claimed invention has a "user input device adapted to command or program the NIU **via the bussing arrangement**" (Emphasis added to point out amendment to the claim language). Applicant states that the prior art of record, namely Hamlin (USP 5,574,964), fails to teach or suggest that the user input device commands the NIU via the bussing arrangement. The examiner must respectfully disagree with this analysis of Hamlin. As pointed out in the Response, the Hamlin remote controller 42 commands the system controller 38 via an electrical signal on line 54. This is true, however, nowhere in the applicant's specification does it state or imply that the control signals received from the remote controller are received over the bussing arrangement. According to applicant's specification, "the user input device 250 may include one of, all of, or more than the types of appliances listed for connection to the NIU 245 via the communications system included in the bus" [page 10, lines 9-12]. The "communication system" as disclosed can be understood to fully encompass the connection from the remote controller 42 and transceiver 40 of Hamlin to the system controller 38. The bus merely acts as a means to send the received control information to the individual appliances present on the bus (as disclosed in Hamlin). Since the remote controller 42

Art Unit: 2614

is connected to the bussing arrangement 36 via the System Controller 38 and the Signal Transceiver 40 and is used for controlling the overall system (Converter 34 and Interface Pods 44), it meets the claimed "user input device adapted to command the NIU via the bussing arrangement to process the external-services data for use at a particular one of the plurality of appliances in the user facility". Also, regarding Figure 2 of the applicant's disclosure, the User Input Device 250 is not actually connected to the bus, but is connected to the NIU through a dedicated signal line. The User Input Device 250 then controls the NIU and the bussing arrangement, which is the same setup as that of Hamlin.

The applicant has traversed the rejections of claims 46 and 55 on the same grounds, but has neglected to further limit and amend the claims, citing 35 U.S.C. 112(6). The original rejection still stands, as this argument is not persuasive. The original rejection, along with the more detailed reasoning above, fully meets the claim language of claims 46 and 55, even when taking into account the citation of 35 U.S.C. 112(6).

In view of the above, the original rejections to all of the dependant claims still hold in view of Hamlin.

- Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2614

2. Claims 1-6, 8-16, 21, 23-28, 30, 32-36, 42-49, 51, 53-59, 63-66, 68, 70, and 74 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamlin US patent 5,574,964, cited by examiner.

Regarding claim 1, the claimed arrangement for processing external-services data for use in a user facility is met as follows:

- The claimed audio, video, and data signal bussing arrangement adapted to distribute audio, video, and data to designated points in the user facility is met by the communication bus 36, which serves to receive information from external services and communicate the information to the network [col. 3, lines 3-12].
- The claimed plurality of appliances communicatively coupled to the bussing arrangement, wherein the plurality of appliances are adapted to process at least one of: audio, video, and data signals is met by the plurality of interface pods 44, which can interface a plurality of appliances [col. 3, lines 13-18].
- The claimed network interface unit (NIU) adapted to communicatively couple the external services data over the bussing arrangement and with the plurality of appliances in the user facility is met by converter 34, which serves to receive the external services data and send it to the bussing arrangement [col. 3, lines 3-13].
- The claimed user input device adapted to command the NIU to process the external-services data for use at a particular one of the plurality of

Art Unit: 2614

appliances in the user facility is met by the remote controller 42, which allows for input of programming and use information [col. 5, lines 34-45].

Regarding claim 2, the claimed user input device including one of the plurality of appliances is met by the remote controller's 42 ability to control directly or indirectly the system controller 38 [col. 5, lines 34-45].

Regarding claim 3, the claimed plurality of appliances including at least one of a TV, a phone, a computer, a printer, a videophone, a videocassette recorder, an analog recorder, a digital recorder, a stereo, a camera, a wireless phone, an intercom, an audio speaker, and a pager is met by the Receiving Units (TVs, VCRs, Computers, phones, etc.).

Regarding claim 4, the claimed user input device including at least one of: a TV, a phone, a computer, a videophone, a videocassette recorder, a wireless phone, an audio speaker, a pager, a remote control, a modem, a voice recognition system, an Internet access device, a keypad, and a touch screen is met by the remote controller 42.

Regarding claim 5, the claimed bussing arrangement including at least one of: a coaxial cable, a telephony line, a Ti line, an ISDN line, a DSL line, an infrared transmitter, a wireless transmitter, a telephone modem, a wireless modem, a cable modem, a broadband modem, and a computer network is met by the CABLE 30, AOSL 32, TELEPHONE 37, and other forms of mass media signals as discussed in column 2, lines 59-67.

Regarding claim 6, the claimed user input device including a television remote adapted to select NIU commands from a display generated by the NIU and displayed on the television is met by the system controller 38 and the remote controller 42 of the system controller, which has a human input device 55 and a display device 45 for configuring the reception and configuration of the system [col. 3, lines 59-65 & col. 5, lines 34-45].

Regarding claim 8, the claimed NIU being further adapted to configure the external services data for use at a particular one of the plurality of appliances is met by the converter 34, which converts the mass media signals into a signal that is transmitted along a communication bus 36 for delivery to an interface pod 44 and converted for playback on the appropriate device [col. 3, lines 3-23].

Regarding claim 9, the claimed external services data including audio and video data, wherein the NIU is adapted to configure the audio data for use at an audio appliance and to configure the video data for use at a video appliance is met by the mass media signals, such as video, audio, and various other types of electronic mass media information [col. 1, lines 47-52] being delivered to the home, converted, sent to the communication bus and utilized according to the format type on a audio appliance or video appliance.

Regarding claim 10, the claimed data memory circuit coupled to the NIU and adapted to store data is met by the RAM 47 and ROM 41 of the system controller 38 [col. 3, lines 59-65].

Regarding claim 11, the claimed NIU being adapted to store incoming external services data until a routing command is received from the user input device is met by the discussion of routing of signals and information to appropriate interface pods 44 and the system database storage 48, which together serve to store incoming mass media and route the media as appropriate to the selected (via user input) device [col. 4, lines 9-26].

Regarding claim 12, the claimed user input device being adapted to communicate with the NIU and determine the type of data that is stored is met by the system controller's ability to store and maintain format information and allow the user to utilize the information accordingly and route it to the correct device in the network [col. 4, lines 9-33].

Regarding claim 13, the claimed user input device being adapted to determine the source of the data is met by the system database storage 48, within the system controller 38, which serves to store information on the incoming signal and its frequency and source [col. 4, lines 16-29].

Regarding claim 14, the claimed NIU being adapted to store configuration information in the data memory circuit, wherein the configuration information includes routing information for external services data, again, is met by the RAM, ROM, and system database storage, which serve to store information about incoming signals and therefore, properly route the signals along the communication bus to the appropriate devices [col. 3, line 59 – col. 4, line 33].

Regarding claim 15, the claimed external-services data including data having a first data form, wherein the NIU is adapted to convert the external services data into a second data form for use by a particular one of the plurality of appliances is met by converter 34, which serves to convert from the input media signal into a media signal that the interface pods 44 can utilize and output to the device [col. 3, lines 3-23].

Regarding claim 16, the claimed first data form including packet-based data, and the second data form including non-packet-based data is met by the converter 34 being able to convert from mass media signals or internet signals to a signal that is communicated on the communication bus 36.

Regarding claim 21, the claimed plurality of appliances including a TV, wherein the NIU is adapted to display the configuration of the plurality of appliances on the TV screen is met by the system controller 38, which is one of the plurality of appliances and contains a display device 45 for display of the configuration and user operation therewith [col. 3, lines 59-65].

Regarding claim 23, the claimed user input device being adapted to command the NIU based upon the configuration display on the TV screen is met by the control of the system by the human input device 55 via the display device 45 of system controller 38.

Regarding claim 24, the claimed one of the plurality of appliances including a display, wherein the NIU is adapted to display the stored incoming external services data on the display is met by the inclusion of the television in the network, which can be

directed by the system controller 38 to display information from the system database storage 48, such as data from the external services [col. 4, lines 16-33].

Regarding claim 25, the claimed user input device being adapted to command the NIU based upon the displayed incoming external services data is, again, met by the inclusion of the television in the network, which can be directed by the system controller 38 to display information from the system database storage 48, such as data from the external services [col. 4, lines 16-33].

Regarding claim 26, the claimed NIU being adapted to display email, audio messages, and video messages, and wherein the user input device is adapted to respond to an input corresponding to the displayed information and to command the NIU to route the displayed information to a particular one of the plurality of appliances is met by the ability of the system to follow user input to provide programming information to the appropriate appliance through user prompts and selections [col. 5, lines 34-48].

Regarding claim 27, the claimed local data memory circuit coupled to the NIU, wherein the data is stored in the local data memory circuit is, again, met by the RAM, ROM, and system database storage, discussed in column 3, line 59 – column 4, line 27.

Regarding claim 28, the claimed data being stored at a location external from the NIU is met by the RAM, ROM, and system database storage, discussed in column 3, line 59 – column 4, line 27, some of which is local and some of which is external.

Regarding claim 30, the claimed user input device being coupled to the bussing arrangement and using the bussing arrangement to command the NIU is met by the

Art Unit: 2614

system controller 38, which is one of the devices on the bussing arrangement and is used to control converter 34.

Regarding claim 32, the claimed user input device being adapted to send control signals to the NIU that are configured to enable the control of external-data services including at least one of: caller ID information, address book information, pay-per-view access information, downloadable multimedia information, dynamically allocable telephone numbers, call forwarding, message on hold, directory assistance, and household systems control information is met by the discussion of the downloading of stock information, which is downloadable multimedia information through the NIU [col. 6, line 66 – col. 7, line 8].

Regarding claim 33, the claimed NIU including a printed circuit board (PCB) having at least one general processor and at least one specific processor adapted to process video data is met by the discussion of the converter and the extension boards that can be purchased to process more data [col. 7, lines 21-24].

Regarding claim 34, the claimed PCB including a RISC processor is, again, met by the discussion in column 7, lines 21-24. The inclusion of a RISC processor, while commonly known in the art, is not a patentable distinction over claim 33, and is therefore rejected on the same grounds.

Regarding claim 35, the claimed PCB including a DSP processor is, again, met by the discussion in column 7, lines 21-24. The inclusion of a DSP processor, while commonly known in the art, is not a patentable distinction over claim 33, and is therefore rejected on the same grounds.

Art Unit: 2614

Regarding claim 36, the claimed each of the plurality of appliances being adapted to deliver status information signals to the NIU including the status of the appliance sending the signal, further comprising a user interface device adapted to access and provide the status information to a user is met by the system database storage 48, which has the ability to monitor the status of the interface pods and devices on the network by monitoring the activity at each location [col. 4, lines 16-27].

Regarding claim 42, the claimed appliance interface device coupled to an appliance and to the bussing arrangement and adapted to receive a first type of signal and convert the data signal to a second type of data signal is met by the interface pods 44, which serve to couple the appliance to the bussing arrangement and convert the signal carried on the communication bus to a signal that is intelligible by the appliance [col. 4, lines 28-51].

Regarding claim 43, the claimed appliance interface device being further adapted to receive a signal via a first type of communications line and to transmit the signal via a second type of communications line is met by the converter within the interface pods 44, which can receive information from the communication bus and transmit it via a wireless link or analog link [col. 4, lines 28-51].

Regarding claim 44, the claimed appliance interface device being programmable via a user input is met by the system controller 38, and it's ability to program and control the NIUs and the interface pods.

Regarding claim 45, the claimed appliance interface device being programmable by an external-services provider via the NIU is met by the system database storage 48,

which can store information sent in through the NIUs and use the information to program and utilize the interface pods.

Regarding claim 46, the claimed network interface system for interfacing different types of communication systems including a first user-based communication system and a packet-based communication system is met as follows:

- The claimed data memory circuit adapted to store configuration data is met by the system database storage 48, RAM, and ROM [col. 3, line 59 – col. 4, line 27].
- The claimed user communication device is met by the system controller 38 and remote controller 42, used to communication with the system.
- The claimed processor arrangement adapted to write configuration data into and read configuration data from the memory circuit and to provide data for presenting configuration information for accessing at the user communication device, further adapted to process data received from, and exchange processed data between, the first user-based communication system and the packet-based communication system, and, in response to the configuration data, also adapted to route selected information provided by the packet-based communication system to selected channels of the first user-based communication system is met by the system controller 38 in conjunction with the converter 34 and the interface pods 44, which all serve to exchange processed data between the communication bus 36 and the external mass media providers.

Art Unit: 2614

- The claimed user input means for inputting configuration-defining control signals, wherein the processor arrangement responds to the configuration-defining control signals by changing the configuration data in the memory circuit and by rerouting selected information provided by the packet-based communication system to selected channels of the first user-based communication system according to the configuration-defining control signals is met by the human input device 55 and/or remote controller 42 for controlling the system controller 38, in an attempt to configure and re-route data according to the appliance and interface pod that the data will be viewable on.

Regarding claim 47, the claimed network system coupled to the first user-based communications system is met by communication bus 36, which couples the network together.

Regarding claim 48, the claimed user input means including at least one of: an IR key panel, a wall-mount unit for the system, a TV, a telephone, a computer, a videophone, a videocassette recorder, a wireless phone, a remote control, a modem, a voice recognition system, an Internet access device, a keypad, and a touch screen is met by the human input device 55 and/or remote controller 42.

Regarding claim 49, the claimed processor arrangement being further adapted to write configuration data into the memory circuit in response to signals received from the packet-based communication system is met by the ability for the user to control the system controller 38 and reconfigure the system based on the system database storage

Art Unit: 2614

48, in an attempt to configure and route information on the packet-based communication system as necessary [col. 3, line 59 – col. 4, line 33].

Regarding claim 51, the claimed user communication device including at least one of: a TV monitor, a printer, and computer is met by the system controller 38, having a display device 45, and CPU 43 [col. 3, lines 59-65].

Regarding claim 53, the claimed user input means including a computer adapted to communicate on the Internet is met by the discussion of the connection via an ADSL line, which can provide Internet Connections [col. 2, lines 59-67].

Regarding claim 54, the claimed packet-based communication system including at least one of: a cable modem, a wireless modem, a broadband modem, a telephone modem, a DSL, a T1 line, and a computer network is met by the modem coupled to the system controller as discussed in column 4, lines 9-15.

Regarding claim 55, the claimed network interface system for interfacing different types of communication systems including a first user-based communication system and a packet-based communication system is met as follows:

- The claimed data memory circuit adapted to store data is met by the system database storage 48, RAM, and ROM [col. 3, line 59 – col. 4, line 27].
- The claimed user communication device is met by the system controller 38 and remote controller 42, used to communication with the system.
- The claimed processor arrangement adapted to write data-intercept select data into and read data-intercept select data from the memory circuit and

to provide data for communicating with a user via the communication device, further adapted to process data received from, and exchange processed data between, the first user-based communication system and the packet-based communication system, and, in response to the data in the data memory circuit, also adapted to intercept information from the packet-based communication system and to store the intercepted information, in the data memory circuit is met by the system controller 38 in conjunction with the converter 34 and the interface pods 44, which all serve to exchange processed data between the communication bus 36 and the external mass media providers.

- The claimed user means for inputting message-retrieval control signals, wherein the processor arrangement responds to the message-retrieval control signals by displaying messages (email, voice mail, etc.) from the data memory circuit is met by the human input device 55 and/or remote controller 42 for controlling the system controller 38, in an attempt to configure and re-route data according to the appliance and interface pod that the data will be viewable on.

Regarding claim 56, the claimed user input means being at least one of: an IR key panel, a wall-mount unit for the system, a TV, a telephone, a computer, a videophone, a videocassette recorder, a wireless phone, a remote control, a modem, a voice recognition system, an Internet access device, a keypad, and a touch screen is met by the human input device 55 and/or remote controller 42.

Regarding claim 57, the claimed processor arrangement being further adapted to write data-intercept select data into the memory circuit in response to signals received from the packet-based communication system is met by the ability for the user to control the system controller 38 and reconfigure the system based on the system database storage 48, in an attempt to configure and route information on the packet-based communication system as necessary [col. 3, line 59 – col. 4, line 33].

Regarding claim 58, the claimed processor arrangement being further adapted to write data-intercept select data into the memory circuit in response to signals received from the input means is met by the system controller 38 in conjunction with the system database storage 48 and human input device 55, which serve to reconfigure data in the memory, allowing for routing of information and data as desired by the user.

Regarding claim 59, the claimed user communication device including a TV monitor is met by the system controller 38, having a display device 45, and CPU 43 [col. 3, lines 59-65].

Regarding claim 63, the claimed user communication device including a computer adapted to communicate on the Internet is met by the discussion of the connection via an ADSL line, which can provide Internet Connections [col. 2, lines 59-67].

Regarding claim 64, the claimed packet-based communication system including at least one of: a cable modem, a wireless modem, a broadband modem, a telephone modem, a DSL, a T1 line, and a computer network is met by the modem coupled to the system controller as discussed in column 4, lines 9-15.

Regarding claim 65, the claimed method for controlling communications data in a communications system having a NIU, a user interface device, a plurality of communications appliances, and a bussing system is met as follows:

- The claimed step of using the user interface device and programming the NIU with configuration information for external-services data is met by the discussion of the system database storage 48, which serves to store configuration information for the mass media providers, the configuration information programmed by the user via the system controller 38 [col. 3, line 59 – col. 4, line 27].
- The claimed step of receiving external-services data at the NIU is met by the converter's 34 ability to receive information from mass media providers.
- The claimed step of configuring the received external-services data and transferring the configured data via the bussing arrangement to one of the communications appliances is met by the communication bus 36, which serves to send the information (according to the system database storage 48) to each interface pad 44, after having received the media from the converter 34 [col. 3, lines 3-23].
- The claimed step of receiving the transferred external-services data at the one communications appliance is met by the reception of the data via the communication bus 36 at the interface pod 44 and eventually the receiving unit 46.

Regarding claim 66, the claimed step of programming the data receiving unit with configuration information including programming routing information for routing the external-services data to particular ones of a plurality of communications devices is met by column 4, lines 9-33, wherein the ability to configure and route data appropriately throughout the system is disclosed.

Regarding claim 68, the claimed plurality of communications devices including an Internet device, wherein the routing data includes the assignment of a particular Internet protocol address to the Internet device is met by the modem discussed in column 4, lines 9-15 and the ability for the routing data to contain interface pod address locations [col. 4, lines 9-27].

Regarding claim 70, the claimed step of using the user interface device and programming the NIU with configuration information for external-services data including programming from an external-services provider location, wherein the configuration information controls the type of external services that the NIU passes to the plurality of communications devices is met by the system controllers ability to configure the system database storage 48 with information received via a mass media signal [col. 4, lines 16-27].

Regarding claim 74, the claimed external-services provider location programming the NIU with a packet-based access package is met by the discussion of the modem being used to program the system controller through a digital line protocol engine [col. 4, lines 9-15].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 20 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamlin US patent 5,574,964, cited by examiner, in view of Goldstein US patent 5,410,326, cited by examiner.

Regarding claim 20, Hamlin teaches all of that which is discussed above with regards to claim 1. Hamlin does not teach the inclusion of a security code in the input device, wherein the NIU is further adapted to respond only to commands having the security code. Goldstein discloses a system in which the converter responds to only commands sent from a remote control with a specific identification number, for security purposes [col. 4, lines 57-65]. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a security code in the remote controller, in order to allow for tighter security and use by only those authorized users.

Regarding claim 50, Hamlin teaches all of that which is discussed above with regards to claim 46. Hamlin does not teach the reconfiguration of the processor arrangement in response to a user-provided security code. Goldstein discloses a system in which the converter responds to only commands sent from a remote control

with a specific identification number, for security purposes [col. 4, lines 57-65]. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a security code in the remote controller, in order to allow for tighter security and use by only those authorized users.

5. Claims 7, 22, 29, 31, 37-41, 67, and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamlin US patent 5,574,964, cited by examiner, in view of Edens et al US patent 6,611,537, cited by examiner.

Regarding claim 7, Hamlin teaches all of that which is discussed above with regards to claim 1. Hamlin does not teach that the user input device includes a telephone adapted to select NIU commands from a command menu programming into the NIU. Edens et al teach a system that detects a "ring" on an analog PSTN line and uses the "ring" to control the processing functionality of the system using DTMF dialing [col. 96, lines 36-46]. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the ability to control the system over a telephone connection (as taught by Edens et al) in order to allow for remote controllable processing and programming within the system.

Regarding claim 22, Hamlin teaches all of that which is discussed above with regards to claim 21. Hamlin does not teach that the configuration data includes telephone data including at least one of: the telephone number assigned to the phone, call waiting options, caller ID options, answering options, forwarding options, message storage options, call blocking options, and call screening options. Edens et al teach a

Art Unit: 2614

system in which call configuration data, in the form of caller ID is delivered to the system [col. 96, lines 36-46]. It would have been obvious to one of ordinary skill in the art at the time of the invention to deliver caller ID information with the call in order to allow for easy viewing of caller identification and integration/use with pre-existing systems.

Regarding claim 29, Hamlin teaches all of that which is discussed above with regards to claim 1. Hamlin does not teach that the processor of the NIU is adapted to function as an answering machine for incoming telephony calls. Edens et al teach a system that has an integrated recorder for use as an answering machine for incoming phone calls [col. 107, line 60 – col. 108, line 2]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include answering machine functionality in order to allow for easy recording of telephone messages and integration/use with pre-existing systems and infrastructures for phone-call delivery.

Regarding claim 31, Hamlin teaches all of that which is discussed above with regards to claim 30. Hamlin does not teach configuration information being received by the NIU in the form on DTMF tones, wherein the bussing arrangement includes a two-wire analog system, and wherein the user input device is adapted to send control signals to the NIU including DTMF tones. Edens et al teach a system that detects a “ring” on an analog PSTN line and uses the “ring” to control the processing functionality of the system using DTMF tones [col. 96, lines 36-46]. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the ability to control the system over a telephone connection using DTMF tones (as taught by Edens et al) in

order to allow for remote controllable processing and programming within the system using pre-existing DTMF functionality.

Regarding claim 37, Hamlin teaches all of that which is discussed above with regards to claim 1. Hamlin does not teach a plurality of appliances including a microphone adapted for use in an intercom system. Edens et al teach a system that utilizes a microphone for use as a monitoring/speakerphone/intercom system [col. 97, lines 7-15]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include an intercom system, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

Regarding claim 38, Hamlin and Edens et al teach all of that which is discussed above with regards to claim 37. Hamlin does not teach the claimed monitoring device coupled and adapted to receive audio signals from the microphone and, responsive to detecting an audio signal above a threshold level, send an alert signal to a user via the NIU. Edens et al disclose a monitoring device, which utilizes two audio streams and a speakerphone system to alert another user of audio information [col. 97, lines 7-15]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring system, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

Regarding claim 39, Hamlin and Edens et al teach all of that which is discussed above with regards to claim 38. Hamlin does not teach that the microphone is located

Art Unit: 2614

near an infant, and the system is used to monitor the infant. Edens et al disclose the aforementioned system and even suggest its use as a baby monitor [col. 97, lines 7-15]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring system, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

Regarding claim 40, Hamlin and Edens et al teach all of that which is discussed above with regards to claim 39. Hamlin does not teach that the alert includes a page signal. Edens et al disclose the aforementioned system and even suggest its use as a baby monitor for alerting a parent of infant noises (via the speakerphone system) [col. 97, lines 7-15]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring system, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

Regarding claim 41, Hamlin and Edens et al teach all of that which is discussed above with regards to claim 38. Hamlin does not teach that the microphone is adapted to monitor noise for security monitoring. Edens et al disclose a monitoring system for monitoring noise within a household [col. 97, lines 7-15]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring system, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

Art Unit: 2614

Regarding claim 67, Hamlin teaches all of that which is discussed above with regards to claim 66. Hamlin does not teach that the routing data includes the assignment of a particular telephone number to the telephony device. Edens et al disclose a system for multi-line conferencing, which can utilize multiple telephones, each with their own telephone number [col. 96, lines 36-46]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include telephone phone number identification, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

Regarding claim 75, Hamlin teaches all of that which is discussed above with regards to claim 70. Hamlin does not teach that the external-services provider location programs the NIU with a telephony-based access package. In order for the telephones within the Edens et al system to interact with the outside world, an access package is provided through the POTS server 186 to take care of controlling Multiple Phones. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a telephone package system for use with multiple phones at one premises, in order to allow for a fully functional and easily interactable home automation system, in which telephone system integration was utilized to its fullest extent.

6. Claims 17-19, 52, and 60-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamlin US patent 5,574,964, cited by examiner, in view of Cohen et al US patent 4,837,798, cited by examiner.

Regarding claim 17, Hamlin teaches all of that which is discussed above with regards to claim 15. Hamlin does not teach that the first data form includes word processing data, and the second data form includes audio data. Cohen et al teach multiple data forms for use in a unified system (text and audio being two of those data forms) [see Abstract]. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the two data forms and conversion techniques from one to the other, in order to create a more comprehensive and consistent facility.

Regarding claim 18, Hamlin and Cohen et al teach all of that which is discussed above with regards to claim 17. Hamlin does not disclose that the first data form includes an email message, and the NIU is adapted to read and convert the email into an audio message. Cohen et al teach a conversion from e-mail message to voice/audio message using the text-to-speech technology. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the two data forms (e-mail and audio) and conversion techniques from one to the other, in order to create a more comprehensive and consistent facility.

Regarding claim 19, Hamlin teaches all of that which is discussed above with regards to claim 15. Hamlin does not expressly disclose that the first data form includes audio data, and the second data form includes word processing data. Cohen et al disclose a system that can convert among multiple forms of data (including text and voice). Figures 7 and 8 clearly indicate the transmissions from e-mail to text and from text to e-mail using appropriate engines. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the two data forms (e-mail and audio)

and conversion techniques from one to the other, in order to create a more comprehensive and consistent facility.

Regarding claim 52, Hamlin teaches all of that which is discussed above with regards to claim 46. Hamlin does not teach a voice-generating unit adapted to produce prerecorded messages. Cohen et al disclose a system that can generate voice from text using a text-to-speech engine [col. 2, line 67 – col. 3, line 3] and store them within the system for use as prerecorded messages. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the text-to-speech engine in order to create a more comprehensive and consistent facility for managing messages of all types.

Regarding claim 60, Hamlin teaches all of that which is discussed above with regards to claim 55. Hamlin does not expressly disclose a voice-generating unit adapted to produce prerecorded messages. Cohen et al disclose a system that can generate voice from text using a text-to-speech engine [col. 2, line 67 – col. 3, line 3] and store them within the system for use as prerecorded messages. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the text-to-speech engine in order to create a more comprehensive and consistent facility for managing messages of all types.

Regarding claim 61, Hamlin and Cohen et al disclose all of that which is discussed above with regards to claim 60. Hamlin does not expressly disclose that the voice-generating unit audibly produces the prerecorded messages over the user communication device. Cohen et al disclose that the message recipient has a single

Art Unit: 2614

controllable point of contact where all messages can be scanned and/or viewed [Abstract]. This indicates that the prerecorded messages can be reproduced at the user communication device. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a voice-generating unit to audibly produce prerecorded messages, in order to create a more comprehensive and consistent facility for managing messages of all types.

Regarding claim 62, Hamlin and Cohen et al disclose all of that which is discussed above with regards to claim 61. Hamlin does not expressly disclose that the prerecorded messages are audibly produced at a sound level over that of the first audio signal. Cohen et al disclose a system in which the user can select which audio signal to make audible [col. 2, lines 57-68]. To make an audio signal audible, it would have to be louder than the first audio signal. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a voice-generating unit to audibly produce prerecorded messages, in order to create a more comprehensive and consistent facility for managing messages of all types.

7. Claims 69 and 71-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamlin US patent 5,574,964, cited by examiner, in view of Lewis US patent 5,835,126, cited by examiner.

Regarding claim 69, Hamlin teaches all of that which is discussed above with regards to claim 66. Hamlin does not disclose expressly that the routing data includes the assignment of a particular television subscription package to the TV. Lewis discloses a system that utilizes an Account/Billing System 106 in order to deliver

Art Unit: 2614

subscription packages to the televisions in the network. Column 3, lines 50-57 and column 6, lines 25-33, make it clear that the system being implemented utilizes some sort of subscription package to manage accounts and billing. It would have been obvious to one of ordinary skill in the art at the time of the invention to include subscription package details, in order to allow for pay-per-view movies and more options for standard interactive television within the home system.

Regarding claim 71, Hamlin teaches all of that which is discussed above with regards to claim 70. Hamlin does not teach that the external-services provider location programs the NIU with a television subscription package. Lewis discloses a system that utilizes an Account/Billing System 106 in order to deliver subscription packages to the televisions in the network. Column 3, lines 50-57 and column 6, lines 25-33, make it clear that the system being implemented utilizes some sort of subscription package to manage accounts and billing. It would have been obvious to one of ordinary skill in the art at the time of the invention to include subscription package details, in order to allow for pay-per-view movies and more options for standard interactive television within the home system.

Regarding claim 72, Hamlin and Lewis teach all of that which is discussed above with regards to claim 71. Hamlin does not teach that the television subscription package includes a specified number of television sets that can use the television data. Lewis discloses a system that utilizes an Account/Billing System 106 and a Video Control System 104 in order to deliver subscription packages to multiple televisions in the network. Column 3, lines 50-57 and column 6, lines 25-33, make it clear that the

Art Unit: 2614

system being implemented utilizes some sort of subscription package to manage accounts and billing. It would have been obvious to one of ordinary skill in the art at the time of the invention to include subscription package details, in order to allow for pay-per-view movies and more options for standard interactive television within the home system.

Regarding claim 73, Hamlin and Lewis teach all of that which is discussed above with regards to claim 71. Hamlin does not teach that the television subscription package includes a pay-per-view event. Lewis discloses a system that utilizes an Account/Billing System 106 in order to deliver subscription packages to multiple televisions in the network. Column 3, lines 50-57 and column 6, lines 25-33, make it clear that the system being implemented utilizes some sort of subscription package to manage accounts and billing. It would have been obvious to one of ordinary skill in the art at the time of the invention to include subscription package details, in order to allow for pay-per-view movies and more options for standard interactive television within the home system.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

Art Unit: 2614

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Shannon whose telephone number is (571) 272-7356. The examiner can normally be reached Monday through Friday 8:00 AM – 5:00PM, with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

Any response to this action should be mailed to:

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolator, etc.) as follows:

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Application/Control Number: 09/740,263

Page 31

Art Unit: 2614

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Some correspondence may be submitted electronically. See the Office's Internet Web site <http://www.uspto.gov> for additional information.

Or faxed to: (703) 872-9306


Hand-delivered responses should be brought to:

Knox Building
501 Dulany Street
Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **(571) 272-2600**.

Michael R Shannon
Examiner
Art Unit 2614

Michael R Shannon
April 19, 2005


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600